

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF ALABAMA  
EASTERN DIVISION

VFS LEASING CO.,	)	
	)	
Plaintiffs,	)	
	)	
v.	)	Civil Action No.: 3:06-cv-638-SRW
	)	
G.F. KELLY, INC. d/b/a KELLY TRUCKING;	)	
And GUY KELLY,	)	
	)	
Defendants.	)	

**RULE 26 REPORT OF PARTIES' PLANNING MEETING**

1. Pursuant to Fed. R. Civ. P. 26(f), a meeting was held on September 1, 2006, and was attended by Jason Asbell on behalf of the Plaintiff and James Starnes on behalf of Defendants.

2. **Pre-Discovery Disclosures.** The parties waive initial disclosures.

3. **Discovery Plan.** The parties jointly propose to the Court the following discovery plan:

(a) Discovery will be needed on liability and damages.

(b) All discovery will be commenced in time to be completed by April 1, 2007.

(c) Maximum of 30 interrogatories by each party to any other party without prior approval of the Court. Maximum of 30 requests for production by each party to any other party without prior approval of the Court. (Responses due 30 days after service.)

(d) Maximum of 3 depositions by Plaintiff and 3 depositions by Defendants without the prior approval of the Court.

(e) Each deposition is limited to a maximum of 8 hours unless extended by agreement of the parties.

(f) Reports from retained experts under Rule 26(a)(2) due:

(i) From **Plaintiff** by January 15, 2007.

(ii) From **Defendants** by February 1, 2007.

(g) Supplementation under Rule 26(e) due no later than 30 days before the close of discovery.

4. **Other items.**

(a) The parties do not request a conference with the Court prior to entry of the Scheduling Order.

(b) Plaintiffs should be allowed until September 20, 2006 to join additional parties and to amend the pleadings.

(c) Defendant should be allowed until October 20, 2006 to join additional parties and to amend the pleadings.

(d) All potentially dispositive motions should be filed by April 1, 2007.

(e) The parties are receptive to mediation but do not request Court-ordered mediation at this time. The usefulness of Alternative Dispute Resolution procedures cannot be evaluated until the parties engage in written discovery.

(f) The parties request a final pretrial conference on June 15, 2007.

(g) Final lists of witnesses and exhibits under Rule 26(a)(3) are due:

(i) From **Plaintiff** 28 days before trial.

(j) From **Defendant** 28 days before trial.

(k) Parties should have 14 days after service of final lists of trial evidence to list objections under Rule 26(a)(3).

(l) The case should be ready for trial by July 1, 2007.

Submitted this the 12th day of September, 2006.

/s/ Jason Asbell  
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